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Attorney for Plaintiff

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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**STIPULATION TO CONTINUE PRELIMINARY HEARING**

IT IS HEREBY STIPULATED AND AGREED, by and between Dayle Elieson, United States Attorney, and Phillip N. Smith, Jr., Assistant United States Attorney, counsel for the United States of America, and Thomas A. Ericsson, Esq., counsel for Defendant VLADIMIR ALEXANDER AYALA-MELARA, that the preliminary hearing for the above-captioned matter, currently scheduled for July 12, 2018, at the hour of 4:00 p.m., be vacated and continued to a date and time convenient for this Court, but in no event earlier than thirty (30) days.

This stipulation is entered for the following reasons:

1. The Government has made an early production of discovery to the Defendant in an effort to reach a pre-indictment plea agreement, and counsel for the Defendant needs additional time to review the discovery and discuss it with the Defendant.

2. The parties are researching the viability of entering into a plea agreement considering the existence of a much larger investigation. Said plea agreement would obviate the need for either a preliminary hearing in this matter or for the Government to present this matter to a federal grand jury. Counsel for the Defendant will need additional time to discuss the Defendant's options with him.

3. The Defendant is in custody, but he does not object to the continuance.

4. Denial of this request for continuance of the preliminary hearing would potentially prejudice both the Defendant and the Government and unnecessarily consume this Court's valuable resources, taking into account the exercise of due diligence.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice.

6. The additional time requested by this stipulation is excludable in computing the time within which the defendant must be indicted and the trial herein must commence pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(b) and 3161(h)(7)(A), considering the factors under 18 U.S.C. § 3161(h)(7)(B)(i) and (iv).

7. This is the fourth request for a continuance of the preliminary hearing herein.

DATED: July 6, 2018.

/s/  
PHILLIP N. SMITH, JR.  
Assistant United States Attorney  
Counsel for the United States

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/s/  
THOMAS A. ERICSSON, ESQ.  
Counsel for the Defendant

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA, ) 2:18-mj-347-PAL  
Plaintiff, )  
vs. ) **ORDER CONTINUING  
PRELIMINARY HEARING**  
VLADIMIR ALEXANDER AYALA- )  
MELARA, )  
Defendant. )

## ORDER

Based on the pending Stipulation of counsel, and good cause appearing therefore, **IT IS HEREBY ORDERED**, that the preliminary hearing in the above-captioned matter, currently scheduled for July 12, 2018, at the hour of 4:00 p.m., be vacated and continued to August 16, 2018 at the hour of 4:00 p.m.

UNITED STATES MAGISTRATE JUDGE